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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,790	12/07/2001	Hideyuki Mori	116692001000	7892

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EXAMINER


RHODE JR, ROBERT E

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/004,790	MORI ET AL.	
	Examiner	Art Unit	
	Rob Rhode	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 10/004,790, filed on 12-7-2001.

Specification

The disclosure is objected to because of the following informalities: The applicant refers to various acronyms such as C/V without a corresponding definition. Applicant is encouraged to provide such information as well as review the specification for language translation inconsistencies.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

In Claims 1 - 14, the claimed invention is directed to non-statutory subject matter. The claim is directed to a process that does nothing more than manipulate an abstract idea.

There is no practical application in the technological arts. See *In re Musgrave*, 167 USPQ 280 (CCPA 1970) and *In re Johnston*, 183 USPQ 172 (CCPA 1974). For

example in claim 1, the invention in the body of the claim does not recite the use of nor
~~incorporate any technology in carrying out the recited method steps and therefore is not~~

Art Unit: 3625

statutory. If the invention in the body of the claim is not tied to the technological arts, environment or machine, the claim is not statutory. See Ex parte Bowman, 61 USPQ2d 1665, 1671 (BD. Pat. App. & Inter. 2001) [Unpublished] and note MPEP 2106 IV 2(b). While Bowman is not precedential, it has been cited for its analysis.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5 - 7, 9 - 11, 15, 16, 19 - 21, 23 - 25, 29, 30, 33 - 35, 37 - 39 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over “Clarify Delivers First e-Business Solution That Puts CRM into the hands Of Online Customers”; PR Newswire; New York; Feb 28, 2000 (hereafter referred to as “Clarify”) in view of Manchala (US 6,405,178 B1).

Regarding claim 1 and related claims 15, 29, and 43, Clarify teaches a method and system of receiving and handling an order from a customer using at least one computer, comprising the steps of:

receiving customer order information sent from the customer, said customer order information including customer information regarding the customer and at least one of

~~ordering information representing contents of an order for a commodity ordered by the~~

customer and support request information representing contents of a support request
(Page 1);

performing the order reception processing based on the received customer order
information (Page 2);

determining to deliver the commodity specified in the ordering information
and to provide a support specified in support information, based on a result of the order
reception processing (Pages 1, 2); and
charging a price of the commodity specified in the ordering information and a cost of the
support specified in the support request information, based on the customer information
including information regarding a price of each commodity purchased by the customer
with high frequency and a cost of each support requested by the customer with high
frequency, wherein the price and the cost are set by a seller of the commodity and
support (Pages 1, 2 and 3).

Although Clarify does disclose tracking of orders, the reference does not specifically
disclose and teach confirming whether the commodity is delivered and the support is
provided.

On the other hand, Manchala teaches a method and system for confirming whether the
commodity is delivered and the support is provided (Abstract and Col 5, lines 3 – 7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the method and system of Clarify with the method and system of Manchala to have enabled a method of receiving and handling an order from a customer using at least one computer, comprising the steps of: receiving customer order information sent from the customer, said customer order information including customer information regarding the customer and at least one of ordering information representing contents of an order for a commodity ordered by the customer and support request information representing contents of a support request; performing the order reception processing based on the received customer order information; determining to deliver the commodity specified in the ordering information and to provide a support specified in the support information, based on a result of the order reception processing; confirming whether the commodity is delivered and the support is provided; and charging a price of the commodity specified in the ordering information and a cost of the support specified in the support request information, based on the customer information including information regarding a price of each commodity purchased by the customer with high frequency and a cost of each support requested by the customer with high frequency, wherein the price and the cost are set by a seller of the commodity and support – in order to provide a complete ordering method and system for products as well as services. Clarify discloses a method and system of receiving and handling an order from a customer using at least one computer, comprising the steps of: receiving customer order information sent from the customer, said customer order information including customer information regarding the customer and at least one of

ordering information representing contents of an order for a commodity ordered by the customer and support request information representing contents of a support request; performing the order reception processing based on the received customer order information; determining to deliver the commodity specified in the ordering information and to provide a support specified in support information, based on a result of the order reception processing; and charging a price of the commodity specified in the ordering information and a cost of the support specified in the support request information, based on the customer information including information regarding a price of each commodity purchased by the customer with high frequency and a cost of each support requested by the customer with high frequency, wherein the price and the cost are set by a seller of the commodity and support (Pages 1, 2 and 3). Manchala discloses a method and system for confirming whether the commodity is delivered and the support is provided (Abstract and Col 5, lines 3 – 7). Therefore, one of ordinary skill in the art would have been motivated to extend the method and system of Clarify with the method and system for confirming whether the commodity is delivered and the support is provided. In this manner, the customer/user is able to order and track all requests for service and products, which will increase customer satisfaction. With this increase in customer satisfaction, the probability that the customer/user will return again will be increased.

Regarding claim 2 and related claims 16 and 30, Manchala teaches a method and system further including steps of checking whether there is a stock of the commodity specified in the ordering information based on stock information; determining a delivery

date for delivering the ordered commodity; and sending order-reception confirmation information including delivery date information representing the determined delivery date and the customer information to the customer either in a facsimile form or e-mail form (Abstract, Col 1, lines 39 – 42, Col 5, lines 3 – 7 and lines 33 – 36).

Regarding claim 5 and related claims 19 and 33, Clarify teaches a method, wherein. the support request information includes information regarding a request for collecting recyclable items including at least one of a used cartridge, a used toner container and used paper (Page 1). Please note that Clarify does not specifically disclose a request to collecting recyclable items. However, Clarify does disclose support requests. In this regard, it would have been obvious to one of ordinary skill in the art to have extended the method and system of Clarify to include support requests for collecting recyclable items. In this regard, the customer/user will not have recyclable items collecting as well as taking up space in their offices.

Regarding claim 6 and related claims 20 and 34, the recitation that method further including the step of arranging collection of used paper, in response to a support request for collecting used paper from the customer when a used paper collection box provided to the customer is filled with used paper”, such recitation is given little patentable weight because it imparts no structural or functional specificity which serves to patentably distinguish the instant invention from the other “collecting” already disclosed by Clarify.

Regarding claim 7 and related claims 21 and 35, Manchala teaches a method and system, wherein the support request information includes information regarding a request for at least one of; a service for delivering the commodity to a place specified by the customer (Col 5, lines 3 – 7).

Regarding claim 9 and related claims 23 and 37, Manchala teaches a method, wherein the customer order information is sent from the customer through a telephone call or via facsimile (Col 1, lines 39 – 44). Please note that Manchala does not disclose a fax or phone. However, Manchala does disclose email. In that regard, it would have been obvious to one of ordinary skill in the art to have extended the method and system of Manchala with phone or fax. In this manner, the customer has additional ways to communicate with vendors, which maybe needed if the email system is down.

Regarding claim 10 and related claims 24 and 38, Manchala teaches a method, wherein the customer order information is sent from the customer through Internet (Col 1, lines 39 – 44).

Regarding claim 11 and related claims 25 and 39, Clarify teaches a method, further including the step of storing, in a storage in response to a registration operation of the seller, the customer information including information regarding a price of a commodity purchased by the customer with high frequency and a cost of a support requested by the customer with high frequency, wherein the price and the cost are set by the seller,

and wherein the customer information includes information. representing that the customer is one who transmits the customer order information through the Internet (Pages 1, 2 and 3).

Claims 3, 4, 8, 17, 18, 22, 31, 32 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Clarify and Manchala as applied to claims 1, 15 and 29 above, and further in view of Wiecha (US 5,870,717).

The combination of Clarify and Manchala disclose and teach substantially the applicant's invention.

However, the combination does not specifically disclose and teach a method and system further including the steps of storing, in a storage, Q&A information representing the contents of inquiries sent from the customer and the seller and the contents of responses to the inquiries, the inquiries regarding commodities to be sold and supports to be provided; and providing the Q&A information stored in the storage, in response to a request; further including the steps of: gathering statistical data based on the customer information and customer order information of each of a plurality of customers; and reflecting the statistical data to the Q&A information; and further including the steps of: storing, in a storage in response to a customer registration operation of the seller, the customer information including information regarding a price of a commodity purchased by the customer with high frequency and a cost of a support

Art Unit: 3625

requested by the customer with high frequency, wherein the price and the cost are set by the seller, and creating a purchase application form and a catalog based on the stored customer information, and providing the customer with the created application form and catalog.

On the other hand and regarding claim 3 and related claims 17 and 31, Wiecha teaches a method and system according, further including the steps of storing, in a storage, Q&A information representing the contents of inquiries sent from the customer and the seller and the contents of responses to the inquiries, the inquiries regarding commodities to be sold and supports to be provided; and providing the Q&A information stored in the storage, in response to a request (Abstract, Col 9, lines 59 – 64 and Col 12, lines 29 – 37).

Regarding claim 4 and related claims 18 and 32, a method and system, further including the steps of: gathering statistical data based on the customer information and customer order information of each of a plurality of customers; and reflecting the statistical data to the Q&A information (Col 12, line 37).

Regarding claim 8 and related claims 22 and 36, a method and system, further including the steps of: storing, in a storage in response to a customer registration operation of the seller, the customer information including information regarding a price of a commodity purchased by the customer with high frequency and a cost of a support requested by

Art Unit: 3625

the customer with high frequency, wherein the price and the cost are set by the seller, and creating a purchase application form and a catalog based on the stored customer information, and providing the customer with the created application form and catalog (Abstract, Col 1, lines 60 – 67 and Figures 6, 7 and 12).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Clarify and Manchala with the method and system of Wiecha to have enabled a method and system further including the steps of storing, in a storage, Q&A information representing the contents of inquiries sent from the customer and the seller and the contents of responses to the inquiries, the inquiries regarding commodities to be sold and supports to be provided; and providing the Q&A information stored in the storage, in response to a request; further including the steps of: gathering statistical data based on the customer information and customer order information of each of a plurality of customers; and reflecting the statistical data to the Q&A information; and further including the steps of: storing, in a storage in response to a customer registration operation of the seller, the customer information including information regarding a price of a commodity purchased by the customer with high frequency and a cost of a support requested by the customer with high frequency, wherein the price and the cost are set by the seller, and creating a purchase application form and a catalog based on the stored customer information, and providing the customer with the created application form and catalog. The combination of Clarify and Manchala disclose a method and system receiving a customer order, performing the

order reception processing, delivery confirmation and charging a price for the delivered commodity and or service. Wiecha discloses a method and system of receiving and handling an order from a customer further including the steps of storing, in a storage, Q&A information representing the contents of inquiries sent from the customer and the seller and the contents of responses to the inquiries, the inquiries regarding commodities to be sold and supports to be provided; and providing the Q&A information stored in the storage, in response to a request; further including the steps of: gathering statistical data based on the customer information and customer order information of each of a plurality of customers; and reflecting the statistical data to the Q&A information; and further including the steps of: storing, in a storage in response to a customer registration operation of the seller, the customer information including information regarding a price of a commodity purchased by the customer with high frequency and a cost of a support requested by the customer with high frequency, wherein the price and the cost are set by the seller, and creating a purchase application form and a catalog based on the stored customer information, and providing the customer with the created application form and catalog (Abstract, Col 1, lines 60 – 67 and Figures 6, 7 and 12). Therefore, one of ordinary skill in the art would have been motivated to extend the combination of Clarify and Manchala with a method and system further including the steps of storing, in a storage, Q&A information representing the contents of inquiries sent from the customer and the seller and the contents of responses to the inquiries, the inquiries regarding commodities to be sold and supports to be provided; and providing the Q&A information stored in the storage, in response to

a request; further including the steps of: gathering statistical data based on the customer information and customer order information of each of a plurality of customers; and reflecting the statistical data to the Q&A information; and further including the steps of: storing, in a storage in response to a customer registration operation of the seller, the customer information including information regarding a price of a commodity purchased by the customer with high frequency and a cost of a support requested by the customer with high frequency, wherein the price and the cost are set by the seller, and creating a purchase application form and a catalog based on the stored customer information, and providing the customer with the created application form and catalog.

Claims 12, 26 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Clarify and Manchala as applied to claims 1, 15, and 29 above, and further in view of Sawada (US 6,141,507).

The combination of Clarify and Manchala disclose and teach substantially the applicant's invention.

However, the combination does not specifically disclose and teach a method and system further comprising the steps of: assigning, in a case where the customer has made a contract of maintenance service for an of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the

maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information.

On the other hand and regarding claim 12 and related claims 26 and 40, Sawada teaches a method and system, further comprising the steps of: assigning, in a case where the customer has made a contract of maintenance service for one of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information (Col 1, lines 18 – 24 and Col 2, lines 26 – 34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Clarify and Manchala with the method and system of Sawada to have enabled a method and system further comprising the steps of: assigning, in a case where the customer has made a contract of maintenance service for one of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and

Art Unit: 3625

determining to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information. The combination of Clarify and Manchala disclose a method and system for receiving a customer order, performing the order reception processing, delivery confirmation and charging a price for the delivered commodity and or service. Sawada discloses a method and system further comprising the steps of: assigning, in a case where the customer has made a contract of maintenance service for one of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information (Col 1, lines 18 – 24 and Col 2, lines 26 – 34). Therefore, one of ordinary skill in the art would have been motivated to extend the combination of Clarify and Manchala with a method and system further comprising the steps of: assigning, in a case where the customer has made a contract of maintenance service for one of a plurality of apparatus including OA apparatuses, a delivery of the commodity to a service person who can execute the maintenance service when it is determined to deliver the commodity specified in the ordering information; and determining to execute a maintenance service based on the maintenance contract at a time of delivering the commodity, based on the customer information and customer order information.

Claims 13, 14, 27, 28 and 41 – 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Clarify and Manchala as applied to claims 1, 15 and 29 above, and further in view of Tsukuda (US 6,085,170).

The combination of Clarify and Manchala disclose and teach substantially the applicant's invention.

However, the combination does not specifically disclose and teach a method and system further comprising the steps of: arranging delivery of the commodity specified in the ordering information based on the customer order information, upon determination of the delivery of the commodity specified in the ordering information and the providing of the support; and instructing a distributor to perform a support when delivering the commodity, in a case where the support is specified in the customer order information; and further including the steps of: confirming whether there is a stock of the ordered commodity based on stock information; determining a delivery date for delivering the ordered commodity; sending, to the customer, order-reception confirmation information including delivery date information representing the determined delivery date and the customer order information in a facsimile form or e-mail form; and arranging the delivery of the ordered commodity based on the delivery-date information and customer order information.

Regarding claim 13 and related claims 27 and 41, Tsukuda teaches a method and system, further comprising the steps of: arranging delivery of the commodity specified in the ordering information based on the customer order information, upon determination of the delivery of the commodity specified in the ordering information and the providing of the support; and instructing a distributor to perform a support when delivering the commodity, in a case where the support is specified in the customer order information (Abstract, Col 1, lines 30 – 36, Col 3, lines 37 – 52 and Figures 12 and 19).

Regarding claim 14 and related claims 28 and 42, Tsukuda teaches a method and system, further including the steps of: confirming whether there is a stock of the ordered commodity based on stock information; determining a delivery date for delivering the ordered commodity; sending, to the customer, order-reception confirmation information including delivery date information representing the determined delivery date and the customer order information in a facsimile form or e-mail form; and arranging the delivery of the ordered commodity based on the delivery-date information and customer order information ((Col 8, lines 64 – 67 and Col 9, lines 1 – 32).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Clarify and Manchala with the method and system of Tsukuda to have enabled a method and system further comprising the steps of: arranging delivery of the commodity specified in the ordering information based on the customer order information, upon determination of the delivery of the commodity

specified in the ordering information and the providing of the support; and instructing a distributor to perform a support when delivering the commodity, in a case where the support is specified in the customer order information; and further including the steps of: confirming whether there is a stock of the ordered commodity based on tock information; determining a delivery date for delivering the ordered commodity; sending, to the customer, order-reception confirmation information including delivery date information representing the determined delivery date and the customer order information in a facsimile form or e-mail form; and arranging the delivery of the ordered commodity. The combination of Clarify and Manchala disclose a method and system for receiving a customer order, performing the order reception processing, delivery confirmation and charging a price for the delivered commodity and or service. Tsukuda discloses a method and system further comprising the steps of: arranging delivery of the commodity specified in the ordering information based on the customer order information, upon determination of the delivery of the commodity specified in the ordering information and the providing of the support; and instructing a distributor to perform a support when delivering the commodity, in a case where the support is specified in the customer order information; and further including the steps of: confirming whether there is a stock of the ordered commodity based on tock information; determining a delivery date for delivering the ordered commodity; sending, to the customer, order-reception confirmation information including delivery date information representing the determined delivery date and the customer order information in a facsimile form or e-mail form; and arranging the delivery of the ordered

Art Unit: 3625

commodity based on the delivery-date information and customer order information (Abstract, Col 1, lines 30 – 36, Col 3, lines 37 – 52 and Figures 12 and 19). Therefore, one of ordinary skill in the art would have been motivated to extend the combination of Clarify and Manchala with a method and system for further comprising the steps of: arranging delivery of the commodity specified in the ordering information based on the customer order information, upon determination of the delivery of the commodity specified in the ordering information and the providing of the support; and instructing a distributor to perform a support when delivering the commodity, in a case where the support is specified in the customer order information; and further including the steps of: confirming whether there is a stock of the ordered commodity based on tock information; determining a delivery date for delivering the ordered commodity; sending, to the customer, order-reception confirmation information including delivery date information representing the determined delivery date and the customer order information in a facsimile form or e-mail form; and arranging the delivery of the ordered commodity based on the delivery-date information and customer order information.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Rob Rhode** whose telephone number is **(703) 305-8230**. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Jeff Smith** can be reached on **(703) 308-3588**.

Art Unit: 3625

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 308-1113**.

Any response to this action should be mailed to:

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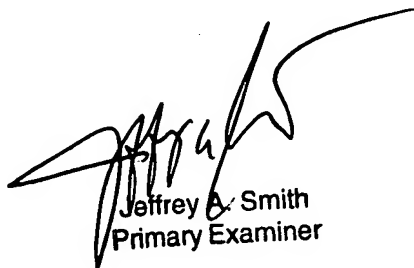
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"PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

RER



Jeffrey A. Smith
Primary Examiner